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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,566	09/30/1999	JOHN CHRISTOPHER BARROTT	AUR-014-PA	5556

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EXAMINER

BARTUSKA, FRANCIS JOHN

ART UNIT PAPER NUMBER

3627

DATE MAILED: 05/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/409,566

Applicant(s)

BARROTT ET AL.

Examiner

F. J. BARTUSKA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 11, 12 and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of the "Preparing for the

Sweet Hereafter With PLAN4ever.com” publication. Yagasaki discloses a computerized method for presenting, searching, selecting and maintaining information contained in a database including a presentation guide page 21, a response page 22, compiling a list of desired products at 55 and providing that list at 36. Yagasaki does not specify that the products ordered are for funeral arrangements. The “Preparing for the Sweet Hereafter With PLAN4ever.com” publication discloses that funeral arrangements can be made by computer on the Internet and that doing so will save time and money. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of the “Preparing for the Sweet Hereafter With PLAN4ever.com” publication to save time and money by using the computer shopping system of Yagasaki to make funeral arrangements.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of the “Preparing for the Sweet Hereafter With PLAN4ever.com” publication as applied to claim 1 above. Further, merely calling for the particular web pages that are displayed would

involve only a notorious expedient in the art to one of ordinary skill in the web page designing art.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of the "Preparing for the Sweet Hereafter With PLAN4ever.com" publication as applied to claim 1 above, and further in view of Tavor et al. Yagasaki, as modified by the "Preparing for the Sweet Hereafter With PLAN4ever.com" publication, shows all the features of the applicants' claimed invention except the multimedia presentations. Tavor et al show a method of shopping over the Internet that includes multimedia presentations to make the session enjoyable for the customer, see col. 8, lines 51-53 and the Abstract. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Tavor et al to provide the system of Yagasaki with a multimedia presentation to make the session more enjoyable for the customer.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of the "Preparing for the Sweet Hereafter With PLAN4ever.com" publication as applied to claim 1 above. Further,

merely calling for E-mail confirmation of on-line purchases would involve only a notorious expedient in the art since sites such as Amazon.com and Travelocity.com have been doing this for many years.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of the "Preparing for the Sweet Hereafter With PLAN4ever.com" publication as applied to claim 1 above, and further in view of Slotznick, of record. Yagasaki, as modified by the "Preparing for the Sweet Hereafter With PLAN4ever.com" publication, shows all the features of the applicants' claimed invention except entering biographical information on a entry form. Slotznick shows an Internet shopping service including an entry form that includes biographical information such as: name, occasion date and address in order to send the selected products to the proper recipient at the proper address and on the appropriate date. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Slotznick to include a biographical information entry form among the selection screens of Yagashi in order for the selected products to be shipped to the correct recipient at the proper address and on the appropriate date.

Response to Arguments

The applicants' remarks have been considered but have not been found persuasive because the shopping mall main screen, product search screens, per-store hit count screen, product list screen and order entry screen of Yagasaki are a guide that lead shoppers through the shopping experience. Applicants' cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened

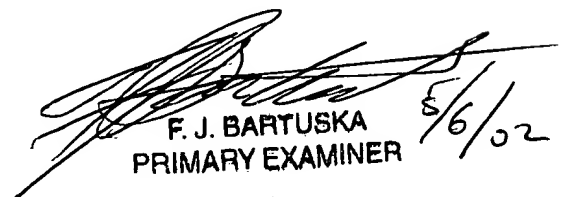
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statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. J. BARTUSKA whose telephone number is 703-308-1111. The examiner can normally be reached on MONDAY-FRIDAY (ALTERNATE FRIDAYS OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT P. OLSZEWSKI can be reached on 703-308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


F. J. BARTUSKA
PRIMARY EXAMINER 5/6/02